HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8518 OF 2005.

All Well Builders Corporation. ..Petitioner.

Versus.

Shilpa Builders & Ors. ..Respondents.

L. H. Patil for the petitioner.

CORAM: S.J. VAZIFDAR, J.

DATE: JANUARY 18, 2007.

P.C.

1. Rule. Rule returnable forthwith.

2. The impugned order has noticed certain defects in the application. The defects, if any, are obviously due to the fact that the petitioner took out the application in person and without the assistance of a lawyer. Instead of putting the petitioner through the costs of a fresh application, the interest of justice would be served by permitting him to amend the application after setting aside the impugned order.

3. The respondents are absent despite the notice dated 11th October 2006 stating that the petition may be

disposed of at the admission stage.

4. In the circumstances, the impugned order is set aside. The petitioner is at liberty to amend the original application or to take out a fresh application for the same reliefs. Rule is made absolute accordingly.